

**UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

**In Re:**

**JOHN SANER**

**Debtor**

}  
} **Case No. 11- 15626**  
} **Chapter 13**  
}  
}

**AMENDED PLAN**

**1. Amended Plan.**

/s/Roland V. Combs, III  
Roland V. Combs, III, OBA#11073  
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Oklahoma City, OK 73146  
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**ATTORNEY FOR DEBTOR**

**CERTIFICATE OF SERVICE**

I, Roland V. Combs, III, hereby certify that on this 20<sup>th</sup> day of August, 2015, a true and correct copy of the above Amended Plan was electronically served using CM/ECF system to: US Trustee and John T. Hardeman Chapter 13 Trustee

Further, I certify that on the 20<sup>th</sup> day of August, 2015 a true and correct copy of the Amended Plan was mailed via U.S. Mail, first class, postage prepaid and properly addressed to the following at the address shown.

John Saner  
1716 Magnolia Lane  
Edmond, Oklahoma 73013

And

Matrix

/s/Roland V. Combs, III

**United States Bankruptcy Court  
Western District of Oklahoma**

**IN RE:**  
**Saner, John**

**Case No. 11-15626**  
**Chapter 13**

Debtor(s)

**AMENDED CHAPTER 13 PLAN**

☐ Original ☒ Amended Date: August 20, 2015.

**YOUR RIGHTS WILL BE AFFECTED.** You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this plan or any motion included below must file a timely written objection. This plan may be confirmed and the motions included below may be granted without further notice or hearing unless written objection is filed before the deadline stated on the separate Notice you should have received from the bankruptcy court. If you have a secured claim, this is notice that your lien may be voided or modified if you do not object to this plan.

**THIS PLAN DOES NOT ALLOW CLAIMS.** You must file a proof of claim to be paid under any plan that may be confirmed.

**1. PAYMENT AND LENGTH OF PLAN**

(a) Debtor shall pay \$ 638.90 per month to the Chapter 13 Trustee starting November 14, 2011 for approximately 36 months.

☒ Debtor will pay directly to the trustee

☐ A payroll deduction order will issue to the Debtor's employer:

(b) Joint Debtor shall pay \$ \_\_\_\_\_ per \_\_\_\_\_ to the Chapter 13 Trustee starting \_\_\_\_\_ for approximately \_\_\_\_\_ months.

☐ Joint Debtor will pay directly to the trustee

☐ A payroll deduction order will issue to the Joint Debtor's employer:

(c) Other payments to trustee: \_\_\_\_\_

(d) Total amount to be paid to Trustee shall be not less than \$ 21,899.90.

**2. PRIORITY CLAIMS (INCLUDING ADMINISTRATIVE EXPENSES AND SUPPORT)**

**Counsel for the debtor intends to seek compensation in excess of the no-look amount typically approved by the Court. Counsel will file a fee application with time records attached within 60 days of confirmation of the plan. The fee sought will not exceed the amount available based on the plan.**

**3. SECURED CLAIMS; MOTIONS TO VALUE COLLATERAL AND VOID LIENS UNDER 11 U.S.C. § 506**

**HSBC Bank USA, National Trust Company as Trustee for the benefit of the certificate holders of Citigroup Mortgage Loan Trust, Inc., Asset-Backed Pass-Through Trust 2005-SHL-1 and/or Wells Fargo Home Mortgage assert they hold a mortgage on Debtor's home located at 1716 Magnolia Lane, Edmond, Oklahoma. Debtor disputes the validity of the asserted mortgage. The validity of the mortgage is being litigated in Oklahoma County District Court, Case No. CJ-2009-7018. As a result of the litigation the Oklahoma County District Court, no payments will be paid through the Chapter 13 plan on any mortgage obligation. The rights of the holder of any valid mortgage shall pass through this Chapter 13 case unaffected.**

(b) Debtor surrenders or abandons the following collateral. Upon confirmation, the stay is lifted as to surrendered or abandoned collateral.

Creditor  
**None**

Collateral to be Surrendered or Abandoned

**4. UNSECURED CLAIMS**(a) **Not Separately Classified.** Allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$ \_\_\_\_\_ to be distributed pro rata.
- ☒ Not less than **100.00** percent.
- ☐ Other: \_\_\_\_\_

(b) **Separately Classified Unsecured Claims**

| Creditor | Basis for Classification | Treatment | Amount |
|----------|--------------------------|-----------|--------|
| None     |                          |           |        |

**5. CURING DEFAULT AND MAINTAINING PAYMENTS**

(a) Trustee shall pay allowed claims for arrearages, and Trustee shall pay regular postpetition contract payments to these creditors:

| Creditor | Collateral or Type of Debt | Estimated Interest Rate<br>Arrearage (arrearage) | Monthly Arrearage<br>Payment | Regular Monthly<br>Payment |
|----------|----------------------------|--|------------------------------|----------------------------|
| None     |                            |  |                              |                            |

(b) Trustee shall pay allowed claims for arrearages, and Debtor shall pay regular postpetition contract payments directly to these creditors:

| Creditor | Collateral or Type of Debt | Estimated Interest Rate<br>Arrearage (arrearage) | Monthly Arrearage<br>Payment | Regular Monthly<br>Payment |
|----------|----------------------------|--|------------------------------|----------------------------|
| None     |                            |  |                              |                            |

**6. EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

Executory contracts and unexpired leases are assumed or rejected as follows:

| Creditor/Lessor | Property Description | Assume/Reject |
|-----------------|----------------------|---------------|
| None            |                      |               |

**7. OTHER PLAN PROVISIONS AND MOTIONS**(a) **Motion to Avoid Liens under 11 U.S.C. § 522(f).** Debtor moves to avoid the following liens that impair exemptions:

| Creditor | Collateral | Amount of Lien to be Avoided |
|----------|------------|------------------------------|
|          |            |                              |

(b) **Lien Retention.** Except as provided above in Section 5, allowed secured claim holders retain liens until:

- ☐ Liens are released at discharge.
- ☒ Liens are released upon payment of allowed secured claim as provided above in Section 3.
- ☐ Liens are released upon completion of all payments under the plan.

(c) **Vesting of Property of the Estate.** Property of the estate shall revert in Debtor:

- ☒ Upon confirmation
- ☐ Upon discharge
- ☐ Other: \_\_\_\_\_

(d) **Payment Notices.** Creditors and lessors provided for above in Sections 5 or 6 may continue to mail customary notices or coupons to the Debtor or Trustee notwithstanding the automatic stay.(e) **Order of Distribution.** Trustee shall pay allowed claims in the following order:

**Trustee Commissions**

**Other Administrative Claims**

**Priority Claims**

**Secured Claims**

**General Unsecured Claims**

Dated: August 20 2015

/s/ Roland V. Combs, III

Signature of Attorney

/s/ John Saner

Signature of Debtor

\_\_\_\_\_  
Signature of Spouse (if applicable)

AT&T CREDIT MGMT CTR  
PO BOX 721440  
NORMAN OK 73070

BEAR AND TIMBERLAKE AND COULSON & CATES  
JOHN D WEAVER  
PO BOX 18486  
OKLAHOMA CITY OK 73154-0486

BRENNER MORTGAGE CORP  
3324D FRENCH PARK DRIVE  
EDMOND OK 73034

CENTRAL STATES  
PO BOX 3130  
HUTCHINSON KS 67504

INTERNAL REVENUE SERVICE  
55 N ROBINSON  
OKLAHOMA CITY OK 73102

MIDLAND CREDIT MGMT INC  
8875 AERO DR STE 2  
SAN DIEGO CA 92123

NORTHWEST COLLECTORS  
3601 ALGONQUIN ROAD STE 232  
ROLLING MEADOWS IL 60008

OKLAHOMA TAX COMMISSION  
55 NORTH ROBINSON  
OKLAHOMA CITY OK 73102

PINNACLE CREDIT SERVICES  
PO BOX 640  
HOPKINS MN 55343-0640

TULSA ADJUSTMENT BUREAU  
1754 UTICA SQ #28  
TULSA OK 74114

WELLS FARGO HOME MORTGAGE  
3480 STATEVIEW BLVD  
FT MILLS SC 29716